

JAN 31 2016

UNITED STATES DISTRICT COURT

for the

Clerk of Court

SOUTHERN DISTRICT OF TEXAS

United States of America

v.

Case No. M-16-0160-M

Juan David TREVINO (YOB: 1984)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 1/30/2016 in the county of Hidalgo in the  
SOUTHERN District of TEXAS, the defendant(s) violated:

Code Section

Offense Description

21 USC 841 (a) (1)

Knowingly and intentionally possess with intent to distribute approximately 214.10 kilograms of marijuana, a schedule I controlled substance.

This criminal complaint is based on these facts:

On January 30, 2016 at approximately 1:00 p.m., Border Patrol Agents (BPAs) Cassandra Clarke and Marcus Johnson were conducting still watch operations south of Brewster Lane south of San Juan, Texas when they observed a maroon minivan come to a stop on Brewster Lane. Approximately one minute later, BPAs Clarke and Johnson observed a black Chevrolet Truck pull up alongside the van. At this time, BPAs Clarke and Johnson heard the driver of the truck yell out to the driver of the van to continue driving south towards the river to load-up.

(Continued on Attachment I)

☒ Continued on the attached sheet.



Complainant's signature

Aida L. Gonzalez, DEA Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

January 31, 2016

4:05 pm



Judge's signature

City and state: McAllen, Texas

Peter Ormsby, Magistrate Judge

Printed name and title

Attachment I

BPA Clarke and Johnson then observed the van traveling southbound towards the river at a high rate of speed. BPA Clarke advised over her service radio of what was observed. Shortly thereafter, BPAs Clarke and Johnson observed the van traveling northbound and attempted to spike the van by deploying a controlled tire deflation device, which was unsuccessful. Shortly thereafter, BPA Joel Hernandez responded to the area and observed the aforementioned van traveling at a high rate of speed. BPA Hernandez got behind the van and activated the emergency lights on his assigned service unit in an attempt to conduct a traffic stop. The van traveled for several miles refusing to stop, at which time, Supervisory BPA Eliezer Guajardo advised over his service radio to terminate the pursuit due to traffic and construction in the area. BPA Hernandez then terminated the pursuit and lost visual of the van.

A few minutes later, BPAs were advised that a Progreso Police Department Officer had located the same van east of FM1015 and Gonzalez Road and attempted to conduct a traffic stop. BPAs were then advised that the van had come to a stop near the intersection of Maria Street and Jose Street north of Progreso, Texas. A Progreso Fire Department Officer, who was riding along with the Progreso Police Officer, observed a male subject exit the van and run into a nearby property. During this time, BPA Hernandez immediately responded to the location and observed the same maroon minivan, involved in the pursuit, abandoned and loaded with multiple bundles of narcotics in plain view in the rear passenger compartment. The search of the van later revealed a total of twelve (12) bundles of marijuana weighing approximately 214 kilograms.

Two Progreso PD Officers entered the property of the residence to request consent to search, but no one came to the door. The Officers found the front door locked, but the back door of the residence cracked open. At the same time, a couple of neighbors discretely signaled at the officers that the subject was inside the residence. Due to the exigent circumstances and everyone's safety in the area, the officers went inside the residence and were able to locate the driver of the van. No one else was in the residence. The Progreso Fire Department Officer was able to positively identify the subject that was removed from the residence as the driver of the loaded van. The driver was identified as Juan David TREVINO. Progreso PD turned over TREVINO, the van, and the narcotics to the BP Agents on scene.

On the same date, DEA SAs Aida Gonzalez and Ashley Brazelton responded to the USBP Weslaco station to interview TREVINO. At approximately 4:51 p.m., SA Gonzalez, as witnessed by SA Brazelton, read TREVINO his Miranda Rights in his preferred language of English. TREVINO acknowledged his rights, but refused to answer any questions without having an attorney present.